

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S Breezewick Circle, 742' N		
centerline of Breezewick Road	*	DEPUTY ZONING COMMISSIONER
9th Election District		
4th Councilmanic District	*	OF BALTIMORE COUNTY
(924 Breezewick Circle)		
	*	CASE NO. 02-320-A
Viola M. and Richard O. Wegner		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Viola M. and Richard O. Wegner. The variance request is for property located at 924 Breezewick Circle in the Towson area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 8 ft. in lieu of the required 30 ft. for an addition (sunroom). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.


The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

2/25/02
[Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of February, 2002, that a variance from 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 8 ft. in lieu of the required 30 ft. for an addition (sunroom), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECORDED FOR THE
DAS 2/28/02
JP JENNISON



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 28, 2002

Mr. & Mrs. Richard O. Wegner
924 Breezewick Circle
Towson, Maryland 21286

Re: Petition for Administrative Variance
Case No. 02-320-A
Property: 924 Breezewick Circle

Dear Mr. & Mrs. Wegner:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 924 Breezewick Circle
which is presently zoned DI-13.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B to permit a rear

yard setback of 8 ft. in lieu of the required 30 ft. for an addition (sunroom).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address Telephone No.

Name - Type or Print

City State Zip Code

Signature

Attorney For Petitioner:

924 Breezewick Circle 410
Address Telephone No

Name - Type or Print

Towson MD 21286
City State Zip Code

Signature

Representative to be Contacted:

Company

Name

Address Telephone No.

Address Telephone No

City State Zip Code

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-320-A

Reviewed By BK Date 1/31/02

Estimated Posting Date 2/10/02

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 921 Brezewnick Circle
City Towson State MD Zip Code 21286

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Property Lines on each side of House
Are NOT Large enough To Build Addition

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Viola M. Wegner
Signature
Viola M. Wegner
Name - Type or Print

Richard O. Wegner
Signature
Richard O. Wegner
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31ST day of JANUARY, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

VIOLA M. WEGNER AND RICHARD O. WEGNER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Jos A. Venturina
Notary Public
My Commission Expires 5-5-04

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 924 Breezwick Circle
City Towson State MD Zip Code 21286

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (Indicate hardship or practical difficulty):

Property Lines on each side of House are
NOT Large enough To Build Addition

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature Viola M. Wegner
Name - Type or Print Viola M. Wegner

Signature Richard O. Wegner
Name - Type or Print Richard O. Wegner

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of JANUARY, 2002 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

VIOLA M. WEGNER AND RICHARD O. WEGNER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Signature Jos A. Venturina
Notary Public
My Commission Expires 5-5-04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 924 Breezewick Circle
which is presently zoned DIR-3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1302.3.13 to permit a rear
yard setback of 8 ft. in lieu of the required 30 ft. for
an addition (sunroom).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Richard O. Wegner
Name - Type or Print _____

Richard O. Wegner
Signature _____

Viola M. Wegner
Name - Type or Print _____

Viola M. Wegner
Signature _____

924 Breezewick Circle ⁴¹⁰
Address _____ Telephone No. 296-1957

Towson MD 21286
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-320-A

Reviewed By BR Date 1/31/02

Estimated Posting Date 2/10/02

ZONING DESCRIPTION

924 BREEZEWICK CIRCLE

Beginning at a point on the north side of Breezewick Circle which is fifty (50) feet wide at the distance of seven hundred forty two (742) feet north of the centerline of the nearest improved intersecting street, Breezewick Road, which is fifty (50) feet wide. Being Lot #14, Block A, Section #North II in the subdivision of Cromwell Valley as recorded in Baltimore County Plat Book # 25 folio 61, containing ten thousand seven hundred forty two (10,742) square feet (0.25/ acre). Also known as 924 Breezewick Circle and located in the 9th Election District, #4 Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07836

DATE 1/31/02 ACCOUNT R001-006-6152

AMOUNT \$ 50.00

RECEIVED FROM: Richard Wagner

FOR: Administrative Vanfare

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 320

PAID RECEIPT
PAID RECEIPT

PAYMENT ACTUAL TIME
2/01/2002 1/31/2002 15:27:23

REG 0505 CASHIER R005 LRD DRAWER 5

>>> RECEIPT # 247745

Dept 5 52B ZONING VERIFICATION

CR NO. 007836

Receipt Tot 50.00
50.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-320-A

Petitioner/Developer: RICHARD L

VIOLA WEGNER

Date of Hearing/Closing: 2/25/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 924 BREEZEWICK

CIRCLE

The sign(s) were posted on 2/10/02
(Month, Day, Year)

Sincerely,

[Signature] 2/10/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

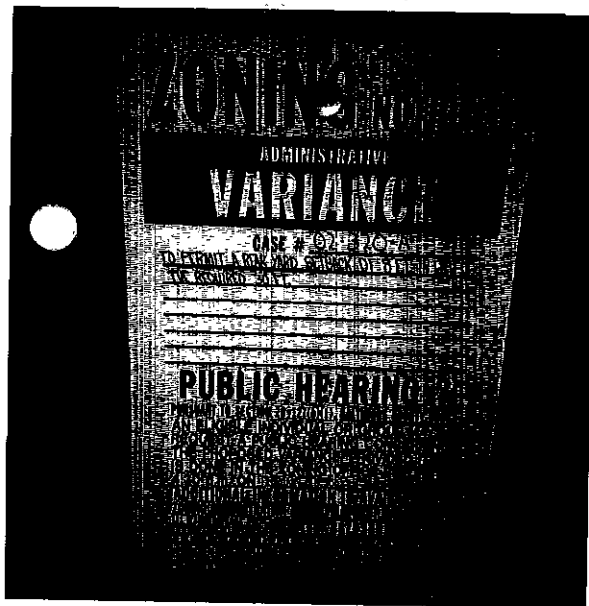
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-320-A

Petitioner: Mr + Mrs Wegner

Address or Location: 924 Breezewick Circle Towson 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr + Mrs Wegner

Address: 924 Breezewick Circle Towson
21286

Telephone Number: 410 296-1954

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 320 -AAddress 924 Breezewick CircleContact Person: Bruno Rudaitis
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 1/31/02Posting Date: 2/10/02Closing Date: 2/25/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 02- 320 -A Address 924 Breezewick CirclePetitioner's Name Richard A. Viola Weyher Telephone _____Posting Date: 2/10/02 Closing Date: 2/25/02Wording for Sign: To Permit a rear yard setback of 8 ft. in lieu of
the required 30 ft.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 25, 2002

Viola M & Richard O Wegner
924 Breezewick Circle
Towson MD 21286

Dear Mr. & Mrs. Wegner:

RE: Case Number: 02-320-A, 924 Breezewick Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 31, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G D Z
Supervisor, Zoning

Review

WCR: gdz

Enclosures

c: People's Counsel


Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: March 21, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for March 4, 2002
Item Nos. 314, 315, 316, 319, 320,
321, 322, 323, 324, 327, 328 and
329

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File

ZAC-3-4-2002-NO COMMENT ITEMS-03212002.doc



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 25, 2002

Item No.: 285, 318, 320, 322, 324, 327, 329, 330

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/76T*

DATE: March 25, 2002

Zoning Advisory Committee Meeting of February 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

200

285, 314-325, 327-329

AV
2/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 27, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

FEB 27

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-205, 02-312 and 02-320

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.22.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 320 BR

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE

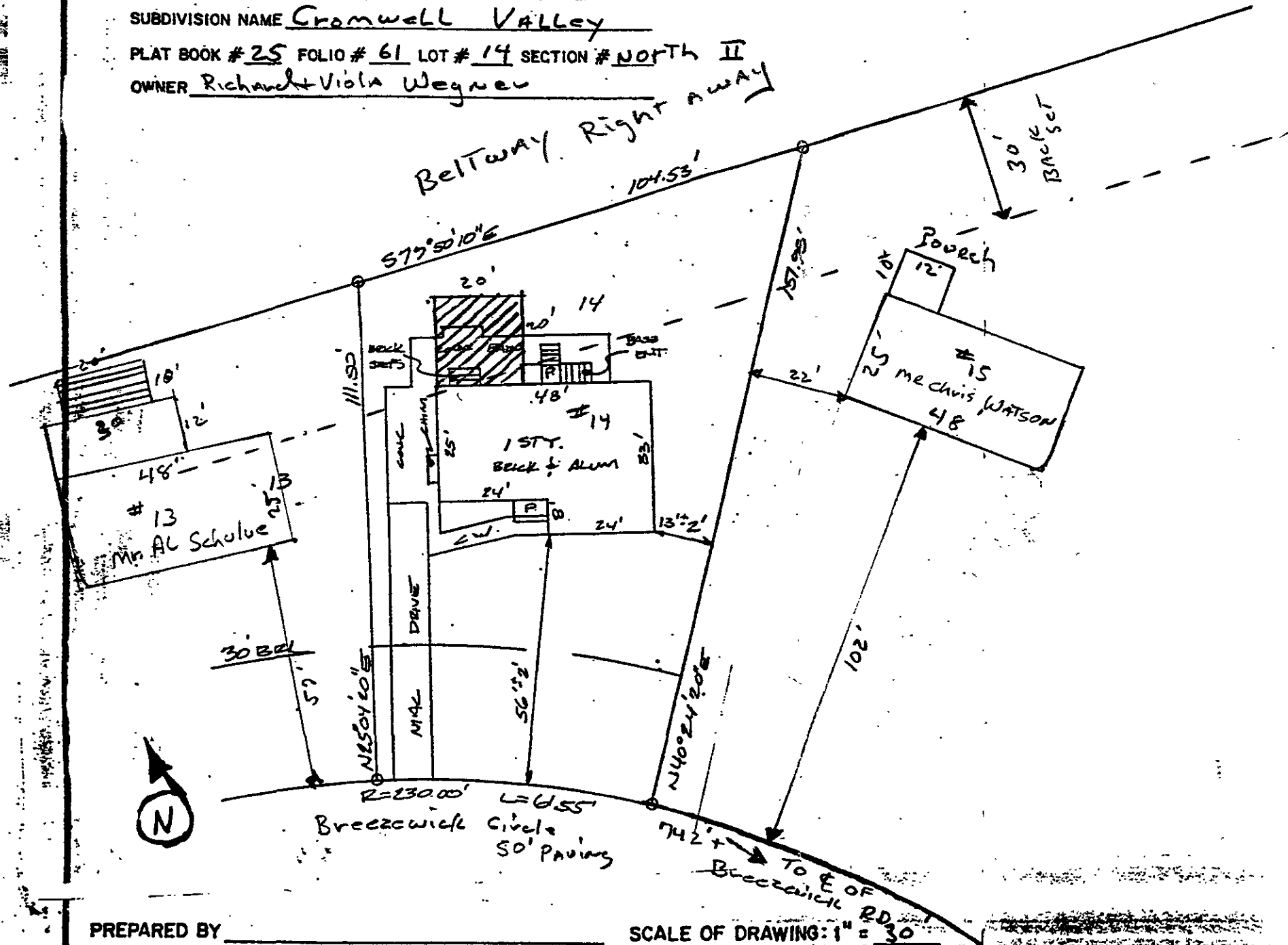
PROPERTY ADDRESS 924 Breezwick Circle SEE PAGES 5 & 6 OF THE CHECKLIST.

SUBDIVISION NAME Cromwell Valley

PLAT BOOK # 25 FOLIO # 61 LOT # 14 SECTION # NORTH II

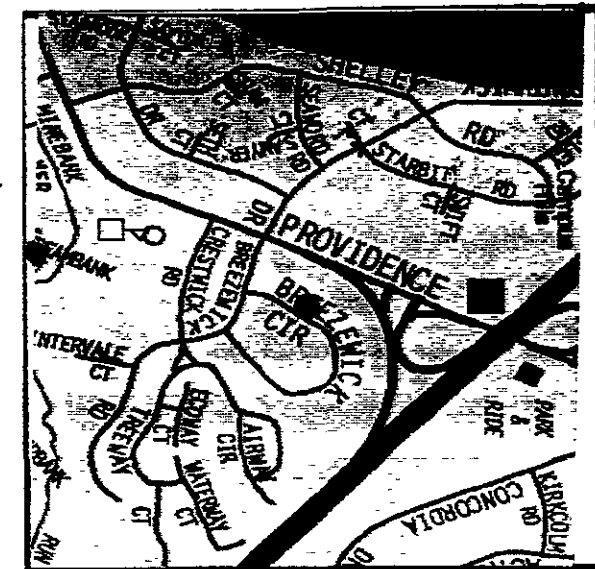
OWNER Richard & Viola Wegner

Beltway Right Away



☐ SPECIAL HEARING

ADDITIONAL REQUIRED INFORMATION



LOCATION INFORMATION

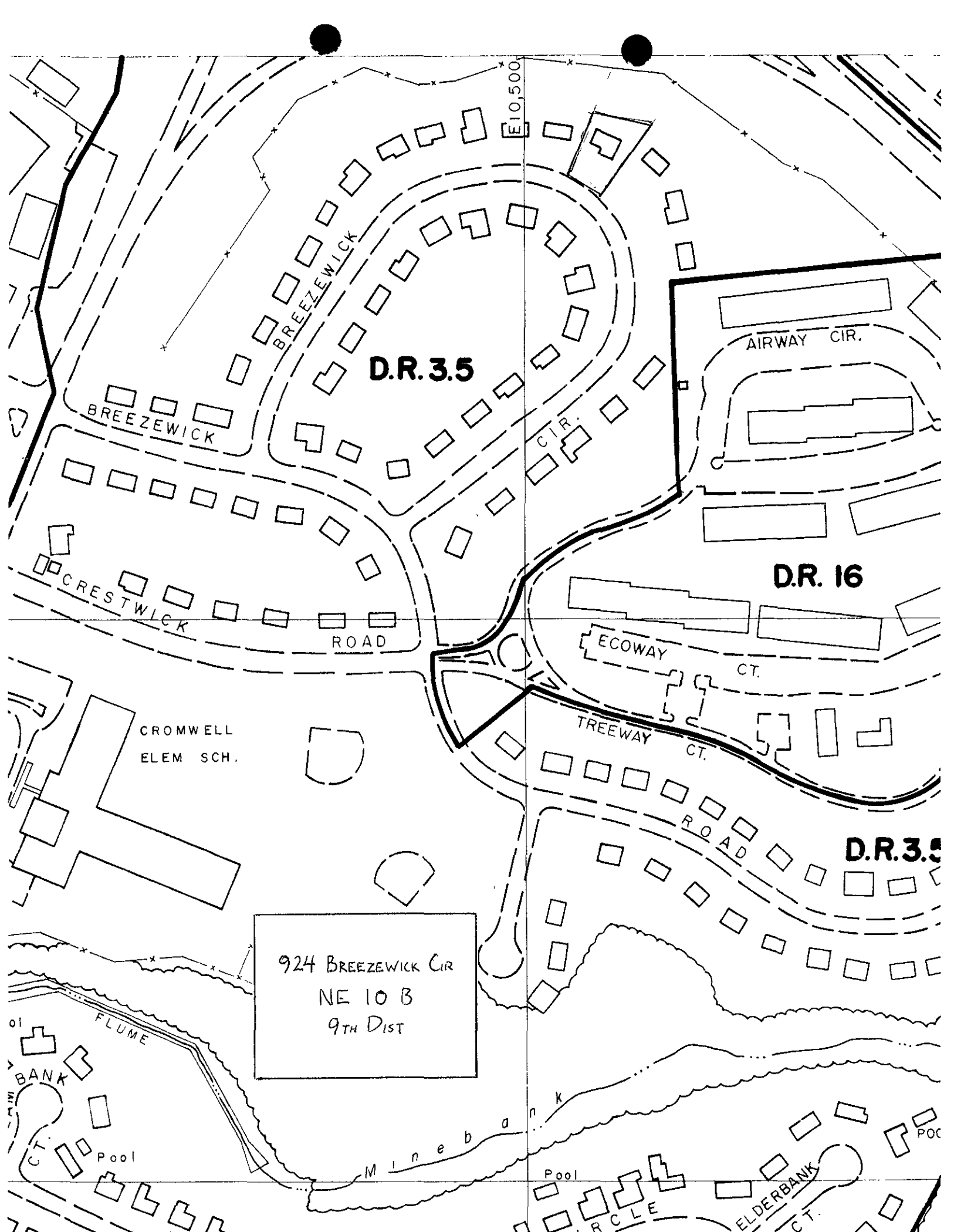
ELECTION DISTRICT # 9
 COUNCILMANIC DISTRICT 4
 1"=200' SCALE MAP # NORTH EAST
 ZONING DIV-3.5 10-B
 LOT SIZE 0.25 10742
 ACREAGE SQUARE FEET
 SEWER ☒ PUBLIC ☐ PRIVATE
 WATER ☒ ☐
 CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
 100 YEAR FLOOD PLAIN ☐ ☒
 HISTORIC PROPERTY/BUILDING ☐ ☒
 PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
 REVIEWED BY BR ITEM # 320 CASE # 02-320-A

PREPARED BY

SCALE OF DRAWING: 1" = 30'

Rel. Ex. #1



D.R. 3.5

D.R. 16

D.R. 3.5

924 BREEZEWICK CIR
NE 10 B
9TH DIST

CROMWELL
ELEM SCH.

AIRWAY CIR.

ECOWAY CT.

TREEWAY CT.

ROAD

ROAD

BREEZEWICK

BREEZEWICK

CIR.

CRESTWICK

FLUME

BANK

Pool

Pool

RIVER

ELDERBANK CT.

POC





